

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

SCOTT DAVIS, *et al.*,  
Plaintiffs,

v.

HANNA HOLDINGS, INC.,  
Defendant.

CIVIL ACTION

NO. 24CV2374

**ORDER**

**AND NOW**, this 23rd day of June, 2025, upon consideration of Defendant Hanna Holdings, Inc.'s Motion to Dismiss for Failure to State a Claim (ECF Nos. 56, 59) and its Motion to Apply the Rule of Reason (ECF Nos. 56, 58), as well as all responses and replies thereto (ECF Nos. 65, 66, 73, 74), and in accordance with the accompanying Opinion, it is **HEREBY ORDERED** that Defendant's Motion is **GRANTED IN PART** and **DENIED IN PART** as follows:

1. With respect to Counts I and II of Plaintiffs' Amended Complaint (ECF No. 40), Defendant's Motion is **GRANTED** as concerns Plaintiffs' claims of any horizontal antitrust conspiracy, which claims are **DISMISSED WITHOUT PREJUDICE**.

2. With respect to Count II, Defendant's Motion is **GRANTED** as concerns Plaintiffs' claims under the Arizona, Hawaii, Nevada, and Utah state antitrust statutes, which claims are **DISMISSED WITHOUT PREJUDICE**.

3. With respect to Count III, Defendant's Motion is **GRANTED** as concerns Plaintiffs' claims under the Colorado, Massachusetts, Michigan, New York, Oregon, Pennsylvania, Rhode Island, Virginia, and Wisconsin consumer protection statutes, which claims are **DISMISSED WITHOUT PREJUDICE**.

4. With respect to Count IV, Defendant's Motion is **GRANTED**, and that Count is **DISMISSED WITHOUT PREJUDICE** in its entirety.

5. In all other respects, Defendant's Motion is **DENIED**.

**BY THE COURT:**

**S/ WENDY BEETLESTONE**

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**WENDY BEETLESTONE, J.**